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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DONNA MCMILLIAN,

Plaintiff,

vs.

DOLGEN MIDWEST LLC d/b/a DOLLAR
GENERAL 13455 aka DOLLAR GENERAL
MARKET, a Foreign Limited Liability
Company; DOES I through X; ROE
CORPORATIONS XI through XX;

Defendants.

CASE NO.: 2:23-cv-00571-JCM-VCF

**STIPULATION TO EXTEND
DISCOVERY PLAN AND
SCHEDULING ORDER
(THIRD REQUEST)**

**SUBMITTED IN COMPLIANCE
WITH LR 26-3**

Plaintiff, DONNA MCMILLIAN, by and through her attorneys, MICHAEL C. KANE, ESQ., BRADLEY J. MYERS, ESQ., and BRETT J. SCHWARTZ, ESQ. of THE 702FIRM INJURY ATTORNEYS, and Defendant, DOLGEN MIDWEST LLC d/b/a DOLLAR GENERAL 13455 aka DOLLAR GENERAL MARKET, by and through its attorneys, MICHAEL P. LOWRY, ESQ. and JONATHAN C. PATTILLO, ESQ. of WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP stipulate and agree that the discovery schedule be extended pursuant to LR 26-3.

I. Discovery Conducted to Date (LR 26-4(a)):

1. Plaintiff served her Initial FRCP 26.1 disclosures and multiple supplements thereto.
2. Defendant served its Initial FRCP 26.1 disclosures and multiple supplements thereto.

3. Plaintiff served written discovery upon Defendant, to which Defendant has fully responded.
4. Defendant served written discovery upon Plaintiff, to which Plaintiff has fully responded.
5. The parties have served their disclosures of expert witnesses and Plaintiff served multiple supplements
6. Plaintiff's Deposition has been taken.
7. Deposition of witness Tina Tetro has been taken.
8. Deposition of Plaintiff's expert Dr. David Silverberg has been taken
9. Depositions of witnesses Sara Barton and Steve McQueen have been set.

II. Discovery to be Conducted (LR 26-4(b)):

1. Additional written discovery by all parties.
2. Depositions of Defendant's FRCP 30(b)(6) depositions.
3. Deposition(s) of Plaintiff's witnesses and treating physicians.
4. Deposition(s) of Defendant's PMK's, witnesses and expert(s).
5. Ongoing medical and billing records collection.
6. Further discovery as necessary.

III. The Reason Discovery Should be Re-Opened

The parties are currently in the process of scheduling multiple depositions. The parties are also engaged in ongoing settlement talks and have been working in a diligent and courteous manner to complete discovery and this request to reopen and extend the discovery deadlines is not sought for the purpose of delay. Thus, the parties respectfully request that discovery be extended so that the parties may continue to conduct the remaining discovery as outlined below.

IV. Proposed Schedule for Completing All Remaining Discovery (LR 26-4(d)):

The current discovery deadlines are as follows:

1. Discovery Cutoff (LR 26-1(b)(1)): July 8, 2024
2. Dispositive Motions (LR 26-1(b)(4)): August 6, 2024
3. Pre-Trial Order, if no Dispositive Motions: September 4, 2024

The parties propose extending all discovery deadlines by ninety (90) days as follows:

1. Discovery Cutoff (LR 26-1(b)(1)): August 7, 2024.
2. Dispositive Motions (LR 26-1(b)(4)): September 5, 2024
3. Pre-Trial Order, if no Dispositive Motions: October 4, 2024

IT IS SO STIPULATED.

DATED this 25th day of June, 2024.

THE702FIRM

/s/ Brett J. Schwartz, Esq.
MICHAEL C. KANE, ESQ.
Nevada Bar No. 10096
BRADLEY J. MYERS, ESQ.
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Las Vegas, Nevada 89147
Attorneys for Plaintiff

DATED this 25th day of June, 2024.

**WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP**

/s/ Jonathan Pattillo, Esq.
MICHAEL P. LOWRY, ESQ.
Nevada Bar No. 10666
JONATHAN C. PATTILLO, ESQ.
Nevada Bar No. 13929
6689 Las Vegas Blvd. South, Suite 200
Las Vegas, Nevada 89119
Attorneys for Defendant

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: 6-26-24

From: Pattillo, Jonathan C.
To: John Coupe; Brett Schwartz; Howell, Lauryn
Cc: Jaiden Burdette; TeamBrett
Subject: RE: McMillian Discovery Responses
Date: Friday, June 21, 2024 3:42:02 PM
Attachments: image005.png
image006.png
image008.png
image009.png

Approved for my esig

Jonathan C. Pattillo
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From: John Coupe <john@the702firm.com>
Sent: Friday, June 21, 2024 2:22 PM
To: Brett Schwartz <Brett@the702firm.com>; Pattillo, Jonathan C. <Jonathan.Pattillo@wilsonelser.com>; Howell, Lauryn <Lauryn.Howell@wilsonelser.com>
Cc: Jaiden Burdette <Jaiden@the702firm.com>; TeamBrett <TeamBrett@the702firm.com>
Subject: RE: McMillian Discovery Responses

EXTERNAL EMAIL This email originated from outside the organization.

Hi Jonathan,

Attached is a draft of the stipulation. Let us know if you have any suggested edits or changes.

Sincerely,

John Coupe, J.D.
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